

## United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION N	D.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,255	-	02/19/2004	Keiichi MIYAJIMA	040059	2254
23850	7590	12/09/2005		EXAM	INER
ARMSTI	RONG,	KRATZ, QUINTOS	HANNON, THOMAS R		
	1725 K STREET, NW SUITE 1000 WASHINGTON, DC 20006			ART UNIT	PAPER NUMBER
WASHIN				3682	
				DATE MAILED: 12/09/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

		A 13				
	Application No.	Applicant(s)				
	10/708,255	MIYAJIMA ET AL.				
Office Action Summary	Examiner	Art Unit				
	Thomas R. Hannon	3682				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA  - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period w  - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim vill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONEI	I.  lely filed  the mailing date of this communication.  (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 23 No.	<u>ovember 2005</u> .					
	This action is <b>FINAL</b> . 2b)⊠ This action is non-final.					
•	-					
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims						
4) ☐ Claim(s) 1-15 is/are pending in the application. 4a) Of the above claim(s) 6-15 is/are withdrawn 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-5 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or	n from consideration.					
Application Papers						
9)☐ The specification is objected to by the Examine 10)☒ The drawing(s) filed on 19 September 2004 is/a Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11)☐ The oath or declaration is objected to by the Ex	are: a) $\square$ accepted or b) $\square$ object drawing(s) be held in abeyance. See ion is required if the drawing(s) is obj	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).				
Priority under 35 U.S.C. § 119						
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>						
Attachment(s)  1) Notice of References Cited (PTO-892)	4) 🔲 Interview Summary	(PTO-413)				
<ul> <li>2) Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)</li> <li>Paper No(s)/Mail Date 2/20/04.</li> </ul>	Paper No(s)/Mail Da					

Application/Control Number: 10/708,255

Art Unit: 3682

Applicant's election without traverse of Group I in the reply filed on November 23, 2005 is acknowledged.

Claims 6-15 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Anakasugi et al.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakasugi et al.

Nakasugi et al discloses that for the filtering function associated with the claimed "dust catcher", that "any other member may be used provided that it has a filtering function" (Col. 4, lines 47-48). As such, a filter member of synthetic resin, with inherent through holes, acting as an electret filter, would have been obvious to one of ordinary skill in the art at the time the invention was made.

Art Unit: 3682

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas R. Hannon whose telephone number is (571) 272-7104. The examiner can normally be reached on Monday-Thursday (8:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <a href="http://pair-direct.uspto.gov">http://pair-direct.uspto.gov</a>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas R. Hannon Primary Examiner Art Unit 3682

trh